

OFFICIAL WARNING



VIOLATION OF FEDERAL REGULATIONS

CASE NO.

PA11006

VIOLATOR

**Customer # 38747
Certificate # 23-C-0287(c)
Robert Simmons
Simmons Farm Inc.**

ADDRESS (Street, City, State, Zip Code)

**170 Simmons Road
McMurray, PA 15317**

The Department of Agriculture has evidence that on or about **August 26, 2010 - September 22, 2010 - November 3, 2010** you or your organization committed the following violation of Federal Regulations:

9 CFR, SECTION

Failure to

2.40 (b)(2)

- Establish and maintain adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

(Feces buildup in the locks around the rectum of an angora goat and sheep.)

3.125 (c)

- Adequately protect food and bedding supplies against deterioration, molding, or contamination by vermin, and refrigeration of perishable foods.

(Open bag of feed stored on top of the feed storage tubs.)

3.130

- Make potable water accessible to animals at all time for the health and comfort of the animal.

(**Water containers for the sheep and goats were excessively dirty with green algae growing on the sides of the tubs.

**Very little water was available in the pen.)

3.54 (a)

- Feed rabbits at least once each day except as otherwise might be required to provide veterinary care. The food shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the rabbit.

(**Rabbits were fed the wrong feed.


**Feed was in an area that the rabbits were unable to access.)

3.55

- Provide sufficient potable water daily except as might otherwise be required to provide adequate veterinary care.

(On August 26, 2010 - September 22, 2010 - November 3, 2010, rabbits had no water available when the USDA inspector arrived.)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title) Elizabeth Goldentyer, DVM Regional Director		OFFICE ADDRESS: 920 Main Campus Dr., Suite 200 Raleigh, NC 27606 TELEPHONE NO. AC (919) 855-7100
SIGNATURE 	DATE ISSUED <i>1 May 2012</i>	DATE RECEIVED:
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)		

FOR CERTIFIED MAIL - RECEIPT NO:
7011 1150 0002 0711 6999